



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH  
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Olympia, Washington 98504-7990

January 28, 2003

The Honorable Alex Deccio, Chair  
Senate Health & Long Term Care Committee  
213A Newhouse Building  
Post Office Box 40414  
Olympia, Washington 98504-0414

Dear Mr. Chairman:

I am writing as chair of the State Board of Health to share with you the Board's position opposing Senate Bill 5085, which is scheduled for a hearing before your committee on January 28, 2003. The proposed legislation would repeal the State Board of Health water recreation facility regulations in RCW 70.90.

The intent of RCW 70.90 was to promote the public health and safety at water recreation facilities such as swimming pools, hot tubs, water slides, wave pools, water lagoons, spa pools, and designated natural swimming areas. It was the 1987 Legislature's decision that the State Board of Health adopt these rules, and that DOH and local health jurisdictions implement the rules—it is the Legislature's decision whether state regulation of water recreation facilities still plays an important public health function.

Between 1991 and 2000, the Department of Health (DOH) confirmed 18 waterborne illness outbreaks, which affected an estimated 1,018 people, which were associated with recreational waters. Eleven of the outbreaks occurred from exposures associated with hot tubs, and seven from exposures at lakes and rivers. Waterborne pathogens responsible for these outbreaks included *Pseudomonas*, *Giardia*, Norwalk-like viruses, *Cryptosporidium* and *E. coli*. Children are at particular risk of contracting recreational waterborne illnesses due to greater opportunity for exposure, limited swimming abilities, and greater susceptibility to diseases. (*The Health of Washington State*, DOH, 2002, pp. 321-322)

Over the last 20 years, Washington's drowning rate has steadily decreased. In 2000, there were 92 resident deaths due to drowning. Drowning of children four or younger most often occurs in swimming pools and bathtubs, while most drownings among people older than four occur in lakes and rivers. In 1999 there were 44 hospitalizations for near drownings, which often produces extensive brain damage. Initial and long-term costs of near-drownings that result in brain damage are very high. (*The Health of Washington State*, DOH, 2002, pp. 207-208)

Local health jurisdictions (LHJs) play a central role in water recreation facility regulation. Most LHJs do not have their own water recreation facility rules, and use the state rules to regulate water recreation facilities in their jurisdictions. On the average, LHJs close more than 500 pools each year, primarily due to disinfectant levels, pH levels, and water clarity not in compliance with state standards. LHJs close an average of 12 beaches each year in Washington, and post warnings at an average of 17 beaches each year. (*The Health of Washington State*, DOH, 2002, p. 323)

Water Recreation Facilities rules, Chapter 246-260, are currently under revision. DOH staffers have done extensive work including stakeholders in the rule revision process. Draft revised rules are currently available at [www.doh.wa.gov/ehp/ts/watrec.htm](http://www.doh.wa.gov/ehp/ts/watrec.htm) and the rule is scheduled for a SBOH public hearing this fall.

The illnesses, injuries and deaths that can and do occur in swimming pools, hot tubs, and other water recreation facilities, provide a public health justification for regulating water recreation facilities. Although there are diverse opinions regarding the level of acceptable risk at water recreation facilities, it is the opinion of the Board that the current level of oversight and monitoring provides the most appropriate level of public health protection and safety. Therefore we are not in support any legislation that would diminish the current level of public health effort.

Sincerely,



Linda Lake  
Chair, Washington State Board of Health

cc: Senate Health & Long Term Care Committee Members  
Washington State Board of Health Members  
Don Sloma, State Board of Health  
Ree Sailors, Governor's Office of Health Policy  
Mary Selecky, Department of Health  
Patty Hayes, Department of Health  
Maryanne Guichard, Department of Health